

FW: Grading violation in Willow Creel

Debbie Arnold

Thu 7/14/2016 10:44 AM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

Jennifer Caffee

Legislative Assistant

5th District Supervisor Debbie Arnold

San Luis Obispo County

From: Tobey Osgood [mailto:osgood.tobey@gmail.com]

Sent: Wednesday, June 15, 2016 2:03 PM

To: Dave Osgood <osgoodfarms@gmail.com>

Subject: Grading violation in Willow Creel

Hello All,

As some of you may know, there has been a sad, destructive action against the environment and neighborhood we call "the Adelaida". In the Willow Creek area, a parcel of land owned by Justin Winery (Resnick/Roll International Global/Wonderful) has been denuded of native vegetation and graded down to a powdery dust. It does not look like our Adelaida countryside at all. All in the name of producing wine.

For generations Adelaida has been populated by families that have farmed and lived in co-existence with our natural landscape. In the 1800s, it is true, a lot of rolling arable fields (not steep and not creeks) were created by the removal of oak trees. As time and the inhabitants progressed and evolved, these fields were used first for dry-farmed grain and hay, dry-farmed nut orchards orchards, and dry-farmed vineyards. Irrigation was introduced and some of the finest wines in the world are being produced our area. And our area is beautiful. Ask anyone who visits. They all say "It is sooooo beautiful here."

The Adelaida farm community (the ranchers, the farmers, the landowners, the vineyardists) have been good stewards of the land for many, many years. We have never asked the County Government for any oak tree protective ordinance as we have not needed one. Until now.

Additionally, we also need to put an end to the large groundwater-hogging reservoirs such as the one proposed (and actually built) on this property. A permit should be required for agricultural wells and they should be limited to no deeper than 50 feet as compared to

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Presented by: Dave and Tobey Osgood
Rec'd prior to meeting & posted to web on: July 14, 2016

neighbors wells. Casing size should be no larger than that of the neighbors. The number of wells drilled on a single parcel should be limited. Vineyard development should not occur on steeply sloped land.

Life and the environment in Adelaida has changed and not for the best. We as the farm community should be enraged. All vineyard owners and operators will be branded and blamed for what these people have done.

If you agree with me, there are a couple of things you can do. You can not buy any products from the Resnick conglomerate. Perhaps good and healthy products but at what cost are they being produced?

These products are: Pom Wonderful, Wonderful Pistachios and Almonds, Justin Wine, Fiji Water, Teleflora, Wonderful Citrus (Halos and Cuties).

Another thing that can be done is to contact our Board of Supervisors. Tell them you are concerned about this situation and would like to see IMMEDIATE rules and regulations to halt this type of environmental damage. Their email addresses are as follows:

fmecham@co.slo.ca.us

bgibson@co.slo.ca.us

ahill@co.slo.ca.us

lcompton@co.slo.ca.us

darnold@co.slo.ca.us

For before-and-after photos, look at this article:

<https://www.indybay.org/newsitems/2016/06/11/18787452.php>

To my fellow farmer friends, I realize new restrictions are not going to be met with joy. As family farms, we are already inundated with a lot of picky non-sensical requirements and rules. But we have to do something to halt the senseless, uncaring land hogs before it is too late. Thanks for your ear, everyone.

Dave and Tobey Osgood
OSGOOD FARMS

From the Open-Publishing Newswire

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Justin Vineyards criticized for clear-cutting oaks

by Skye Ravy, Paso Robles Daily News

Saturday Jun 11th, 2016 4:06 PM

Neighbors in the Willow Creek Road area in westside Paso Robles this week raised concerns over the removal of oak trees on property owned by Justin Vineyards and Winery. The company has clear-cut hundreds of oak trees, according to complaints. The site is planned to be used for an irrigation pond filled with well water and vineyards, according to documents from the San Luis Obispo County Planning Department.



'This is not the Paso Roblan spirit,' neighbor says after flyover

"I was just flying around when I came across the pond and destruction," said Matt Trevisan, the owner and winemaker at Linne Calodo. "I did not remember what the land looked like until I matched up the Google Earth photo." Trevisan

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said after comparing the photos, it was clear to him the winery was clearing a significant amount of land.

"When I look at this project and see the social and ecological ramifications, I become sick to my stomach," said Trevisan. "There is more than an abundant amount of land that was deforested decades ago for the purpose of farming. For a heavily-capitalized company to ignore the open farm land and deforest in the name of needing additional farm land is just pathetic. The massive deforestation is mind-blowing and reminds me of something that a James Bond Villain would do. Secondly, the sheer audacity to build a 20 acre foot pond (6.5 million gallons) within a community of tiny domestic wells is purely disrespectful and lacks consciousness. This is not the Paso Roblan spirit and these suckers need to leave town." Trevisan said he worked for Justin Winery 21 years ago as an apprentice.

Neighbor Justin Smith, winemaker at Saxum Vineyards, said, "I don't know who to hold directly responsible for this disgraceful destruction in the name of farming, whether it's the Resnicks themselves, their president David Ricanati, or the vineyard developer, but they should be tarred and feathered and run out of our town," he said. Lynda and Stewart Resnick bought Justin Vineyards and Winery from Justin Baldwin in 2010. The winery is part of The Wonderful Company, formerly Roll Global, which owns Fiji Water, POM Wonderful, Wonderful Almonds, Wonderful Pistachios and Teleflora. The Resnicks are worth an estimated 4.2 billion, according to Forbes ranking of the 400 richest people in the world.

"Our oaks and oak forests are what makes this area beautiful and wild," Smith said. "There are no laws in our county protecting them, but there were none needed. Nobody who loved or lived in Paso would dare clear cut the forests. That is until Justin Winery/Fiji Water moved in. They've bought multiple properties, thousands of acres." Smith was named 2013 wine industry person of the year by the Paso Robles Wine Alliance and was awarded Wine Spectator's 2010 Wine of the Year.

Neighbor Mark Adams of Ledge Vineyards said, "This is a legislative and ecological emergency. The photos speak for themselves. Logic should guide our

behavior, not laws, but outsider greed is spoiling the heritage of generations of respectful locals. Unfortunately we now have to babysit the community to save our farms and our homes.”

Justin Vineyards says work is legal and promises to plant 5,000 oak trees

The Wonderful Company Vice President of Corporate Communications Steven Clark responded to inquires Thursday afternoon with a statement on the company’s behalf.

“We are currently preparing a parcel of our land for new vineyards in full compliance with all state and county regulatory guidelines,” Clark said. “We recognize the beauty and importance of our natural resources, and as part of this process, beginning this fall and throughout 2017, we will be planting 5,000 oak trees across our properties. As a leading employer in the area and major contributor to the local economy, Justin Vineyards & Winery is proud of both its long-standing commitment to the Paso Robles community and responsible environmental stewardship.”

Complaints taken to county supervisor, county code enforcement halts work

Concerned neighbors and vineyard owners met Thursday with San Luis Obispo County Supervisor Frank Mecham. Mecham asked county code enforcement to check into the project’s compliance after the neighbors came to him with complaints.

San Luis Obispo County Code Enforcement visited the 375-acre property this week, located at 750 Sleepy Farm Road, and issued a stop-work order on the project because of grading violations, according to San Luis Obispo County Planning and Building Department Director James A. Bergman.

Mecham says other wineries have removed oak trees, but it is not necessarily common practice. “I’m always concerned about water,” said Mecham, noting that the project may have an effect on drainage and groundwater.

In an application to the county, Justin Vineyards and Winery, through holding company Estate Vineyards, LLC, said a new reservoir planned at the site will have a capacity of 20-21 acre-feet. "The exact size will be determined once the site survey is completed (currently in progress). The reservoir will be designed to conform to natural topography (rolling terrain) with no impact to native trees and the environment," said civil engineer Eric J. Gobler in the application. In additional information provided by Gobler for the review, the report said, "We are not planning on 'capturing' storm water as there are divergence around the pond. We will be filling the pond using the wells on the ranch. The plan is to fill the pond in the winter time and 'store' the water until we need it in late summer." The property was previously the home of Dancing Star Foundation, an organization that rehabilitated rescued animals.

New county ordinance proposed to protect oak trees

Removing oak trees is currently not illegal in the county. In the city limits of Paso Robles, city council approval is needed to remove even a single oak tree. Supervisor Mecham said he has directed his staff to prepare a suitable ordinance to help prevent deforestation in the future, but similar ordinances have been defeated due to pressure from agricultural companies, he said.

"I think there is a change in mindset now," said Mecham, "People want to be good stewards of the land." Mecham said that the next steps would be mobilizing the agricultural community to support such an ordinance.

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Drone View Over Paso Robles Ranch Property

<https://youtu.be/qj0M0YpDozU>

<http://pasoroblesdailynews.com/justin-wine...>

Trucks Full of Oak Logs

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by Paso Robles Daily News *Saturday Jun 11th, 2016 4:06 PM*



"Those trucks full of oak logs have been leaving there 5 loads a day for the last month," said winemaker Justin Smith. "It's heartbreaking." Smith recently posted this photo to Facebook.

<http://pasoroblesdailynews.com/justin-wine...>

[Add Your Comments](#)

Oak clear-cut for vineyard expansion sparks controversy in Paso Robles wine industry

§

by KCBX

Saturday Jun 11th, 2016 4:13 PM



Land cleared of oaks on property owned by Justin Vineyards
Still From Dronesey YouTube Video (See Below)

Controversy is growing over a vineyard-expansion project in the Paso Robles Wine Growing region.

The plan calls for the clear-cutting of an oak forest on land owned by Justin Vineyards. Much of the project has already been completed, but what remains currently on hold.

The expansion plans also call for a large retention pond to be filled with groundwater.

Justin's parent, the Wonderful Company which also own Fiji Water and Pom Wonderful products, said in an emailed statement to KCBX that it's in full compliance with state and county regulatory guidelines.

"We are currently preparing a parcel of our land for new vineyards in full compliance with all state and county regulatory guidelines. We recognize the beauty and importance of our natural resources, and as part of this process,

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beginning this fall and throughout 2017, we will plant 5,000 oak trees across our properties. As a leading employer in the area and major contributor to the local economy, JUSTIN Vineyards & Winery is proud of both its long-standing commitment to the Paso Robles community and responsible environmental stewardship."

Paso Robles Daily News Editor Skye Ravy told KCBX that First District Supervisor Frank Mecham is moving to keep this from happening again.

Read [Ravy's complete piece](#) on this issue.

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What's Being Built Here??? Drone View Over Paso Robles Ranch Property
<https://youtu.be/qj0M0YpDozU>

<http://kcbx.org/post/oak-clear-cut-vineyar...>

[Add a Comment](#)

Listen to Paso Robles Daily News editor Skye Ravy discuss oak tree clear cutting on KCBX §

by Paso Robles Daily News / KCBX

Saturday Jun 11th, 2016 4:15 PM

Listen now:

Copy the code below to embed this audio into a web page:

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<audio preload="none"
```

[Download Audio](#) (1.9mb)

KCBX News Director Randol White interviewed Paso Robles Daily News Managing Editor Skye Ravy Friday afternoon on the Justin Vineyard's controversial oak tree clear cutting on the westside of Paso Robles.

Tune in to the interview and hear the latest on the story.

<http://pasoroblesdailynews.com/listen-edit...>

[Add a Comment](#)

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FW: Concern for flawed oak tree ordinance

Jennifer Caffee
Legislative Assistant
5th District Supervisor Debbie Arnold
San Luis Obispo County

-----Original Message-----

From: Don Waller [<mailto:dkwaller@impulse.net>]
Sent: Monday, June 27, 2016 6:05 PM
To: Frank Mecham <fmecham@co.slo.ca.us>; Debbie Arnold <darnold@co.slo.ca.us>; Vicki Shelby <vshelby@co.slo.ca.us>
Cc: info@slofarmbureau.org <info@slofarmbureau.org>; hugh_hughpitts.com <hugh@hughpitts.com>
Subject: Concern for flawed oak tree ordinance

I have heard that the San Luis Obispo Board of Supervisors has directed that an interim oak tree protection ordinance be quickly drafted. I believe any that is done in a manner of a few weeks will be grossly and fatally flawed. I request that such an ordinance draft be delayed and instead an effort mounted to determine in depth the objective and framework for any tree protection ordinances.

I have expressed my concern in the attached one-page PDF file attachment that is in form of a letter to the Board of Supervisors. I point out a few of the extensive possibilities for gross errors and the need for a restart down a difficult but right road.

Please seriously consider my request.

Donald Waller
Templeton, CA

07/14/2016

Donald Waller

June 27, 2016

Board of Supervisors
San Luis Obispo County

San Luis Obispo, CA 92401

Regarding: New oak tree interim ordinance

It is my understanding that in the aftermath of the massive oak tree removal on Justin Winery property on Willow Creek Road that the Board of Supervisors directed Planning Department staff to draft an interim oak tree protection ordinance. If true, this is a grave mistake. Please consider the following.

First how many oak trees are there in the county? 1,000? 5,000? One million? Would all oaks be under this ordinance or just some? Why? Either way how would this be determined and by whom? Are there currently enough knowledgeable staff to do this? If professional arborists are required to direct or support, what would be minimum qualifications? Following this concern is the question of whether this ordinance would apply to all sections of the San Luis Obispo County. Would Huasna and Nipomo be treated same as all of northwest county? If not, why not? If so, why? Going the next step why just oak trees and any difference in regulation for live oaks and white oaks? How about pine trees? Any concern about their protection? Or for sycamores, almonds, walnuts and madrones?

It should be abundantly apparent that before the first words of the provisions for protecting the oak woodlands of our county could be intelligently formulated many questions must be posed and answered. If not done intelligently the result will be a fatally flawed and onerous ordinance that will work harm on many present and future San Luis Obispo County property owners. Step one must be to come up with a full understanding of what must be the final objective and what kind of organization is necessary and proper to reach that objective. It is imperative that ALL questions must be formulated and answered before even start drafting an oak tree ordinance. Doing anything else will lead to widening divisiveness among residents of our county and ultimately widespread refusal to comply with a fatally flawed law. Is that something the Board of Supervisors wants or could accept? The citizenry does not.

I am here asking that the Board of Supervisors NOT adopt any hastily cobbled together oak tree protection ordinance. Hyper emotions and ill conceived concepts about oak woodlands of our county have no place in formulating what is really the citizens' desires for the long term. I say this as a person who has for decades owned land with native oak stands and understands their value and limitations.

Sincerely,
Donald Waller

FW: Open questions about interim ag reservoirs ordinance

Jocelyn Brennan

Thu 7/14/2016 11:17 AM

To: BOS Secretary <bos_secretary@co.slo.ca.us>;

Cc: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

1 attachment (269 KB)

Questions interim ag pond ordinance.pdf;

~ Jocelyn Brennan

Legislative Assistant District 4

San Luis Obispo County Supervisor Lynn Compton

San Luis Obispo CA 93408

[Http://www.slocounty.ca.gov/BOS/District-4.htm](http://www.slocounty.ca.gov/BOS/District-4.htm)

[HTTPS://www.facebook.com/Lynn-Compton-4th-district-supervisor-239759839515172/?ref=aymt_homepage_panel](https://www.facebook.com/Lynn-Compton-4th-district-supervisor-239759839515172/?ref=aymt_homepage_panel)

From: Don Waller <dkwaller@impulse.net>

Date: Thursday, Jul 14, 2016, 11:16 AM

To: Frank Mecham <fmecham@co.slo.ca.us>

Cc: Vicki Shelby <vshelby@co.slo.ca.us>, Jocelyn Brennan <jbrennan@co.slo.ca.us>, Jennifer Caffee <jcaffee@co.slo.ca.us>, info_slofarmbureau.org <info@slofarmbureau.org>, Art Trinidad <atrinidade@co.slo.ca.us>

Subject: Open questions about interim ag reservoirs ordinance

I recently obtained a copy of the draft of the proposed interim ordinance on agricultural reservoirs and ponds and reviewed its provisions. That review prompted a number of rather essential questions and for which suitable answers are not readily apparent. My questions are presented in the 2-page PDF file attachment.

Without understandable and suitable answers to these questions I believe adoption of the ordinance draft at this time would be very unwise. I believe the staff of the Planning and Building Department should be provided additional time and resources to produce a more suitable ordinance draft.

Item No. 1 & 2
Meeting Date: July 15, 2016
Presented by: Donald Waller
Rec'd prior to meeting & posted to web on: July 14, 2016

Donald Waller
Templeton, CA

QUESTIONS ON PROVISIONS IN DRAFT INTERIM AGRICULTURAL RESERVOIRS ORDINANCE

After having had the opportunity to review a copy of the July 2016 draft of an interim San Luis Obispo County ordinance to regulate construction and use of agricultural ponds and reservoirs some important questions arise. These questions should be addressed and satisfactory answers provided before this draft ordinance is accepted and voted into law. For your benefit a list of the questions that came to my mind are provided below. [Donald Waller, Templeton, CA]

Section 1. Findings and Declarations

B. How is it that construction and existence of agricultural ponds and reservoirs potentially affects ground water supplies adversely? Such structures only hold water that is brought to the surface by one means or another. Is it not the rate and duration of pumping from wells at whatever depths that determines local ground water supplies?

C. Are there any reliable measurements or analyses that describes where levels of ground water have dropped and where there has been minimal change? Would not a better statement be "For over a decade and throughout the county there have been instances of declines in ground water levels. The current exceptional drought exacerbates instances and severity of decline".

G. How was it arrived at that a 45 day effectiveness for this interim ordinance is sufficient? Can the Department of Planning draft a permanent replacement ordinance that will fully address concerns for excessive withdrawal of ground water? Does the Department have sufficient resources for that task?

Section 5. Exemptions

A. What is an agricultural "basin"? How would one be recognized?

A 2. Can a parcel have more than one reservoir that is less than one acre-foot capacity? If so is there a limit? May such exempt reservoirs be located anywhere on the parcel? How would this be arrived at?

Section 6. Permitting

A 1&2. The same questions for allowed numbers of and locations of exempt reservoirs less than 1 acre-foot capacity apply equally to projects with larger reservoirs. How many and where can be allowed?

Why in evaluating suitability of an application for a permit to construct agricultural reservoirs and ponds would not the main concern be source and amount of water to be stored and the efficiency of storing it this way? Why would size of the individual reservoirs be the dominant concern?

D. In order for any applications for reservoir construction and use permits to be prepared as expertly and thorough as possible could the Planning Department produce detailed instructions for preparers that assure meeting all four of the requirements for Application Content?

D ii. What constitutes a property's historic use of water? Does this include rainfall as well as ground water? Why or why not? How far back in years or previous owners is necessary to determine historic use?

QUESTIONS ON PROVISIONS IN DRAFT INTERIM AGRICULTURAL RESERVOIRS ORDINANCE

D iii. How detailed and thorough should the required estimated evaporative water loss be? Are there any guidelines for what would be acceptable amount of evaporative water loss and what would be considered excessive, and what would be desired target values? Why would not percolation losses also be of concern?

D iv. In creating the required well interference and draw-down analysis of ground water supply why is it to be done only for make up water to compensate for evaporative loss? Why would there not be such analyses required when water is first pumped from a well? Should not the presence of and proximity of wells on neighboring properties be a necessary consideration in such draw-down analyses?

F. Must a qualified hydrogeologist who would provide a peer review of water supply impacts have a State of California issued license in that field? What rights does the public have for review of a permit application; particularly just before issuance of a permit?

It seems that the overall purpose or goal of this proposed ordinance is to preclude wanton degradation of ground water supplies throughout San Luis Obispo County. But it is at best an illogical approach to accomplish that by regulating open water reservoirs that could only hold excessive amounts of ground water withdrawal by pumping from wells. If degradation of ground water is the goal then that should be addressed by rules and regulation of installation of wells and pumping from those wells. On this basis I request that this draft interim ordinance not be approved in its current form.

Donald Waller
Templeton, CA

FW: District 1 - Contact Us (response #457)

Vicki Shelby

Thu 7/14/2016 11:30 AM

To: Frank Mecham <fmecham@co.slo.ca.us>; Bruce Gibson <bgibson@co.slo.ca.us>; Adam Hill <ahill@co.slo.ca.us>; Lynn Compton <lcompton@co.slo.ca.us>; Debbie Arnold <darnold@co.slo.ca.us>;

Cc: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

Vicki M. (Shelby) Fogleman
Legislative Assistant for
First District Supervisor Frank R. Mecham

San Luis Obispo CA 93408

email: vshelby@co.slo.ca.us

"Thinking a smile all the time will keep your face youthful" - Frank G. Burgess
"Wrinkles should merely indicate where smiles have been" - Mark Twain

-----Original Message-----

From: Internet Webmaster [<mailto:webmaster@co.slo.ca.us>]

Sent: Thursday, July 14, 2016 11:23 AM

To: Vicki Shelby <vshelby@co.slo.ca.us>

Subject: District 1 - Contact Us (response #457)

District 1 - Contact Us (response #457)

Survey Information

Site: County of SLO

Page Title: District 1 - Contact Us

URL: <http://www.slocounty.ca.gov/bos/District-1/District1ContactUs.htm>

Submission Time/Date: 7/14/2016 11:22:55 AM

Survey Response

Name:

Terry Dritsas

Telephone Number:

Item No. 1

Meeting Date: April 8, 2014

Presented by: Terry Dritsas

Rec'd prior to meeting & posted to web on: July 14, 2016

Email address:
lefdr@hotmail.com

Comments or questions (8,192 characters max):
Dear Mr. Supervisor good morning

Please, please, do not issue NO more vineyard permits We will be a dessert before long, they cut down the Oak trees, They draw down the aquifer, Wild life gets killed, Bees get extinct, Residential wells run dry, All in the name of profit I like to see you vote a restriction countywide on cutting down the OAK trees, If vines are pulled out of the existing vineyards, bann the replanting of the land, 270 homes were given permit to be build in Paso Robles, where is the water will come from?

Thanks for reading my writings
Terry

FW: Open questions about interim ag reservoirs ordinance

Vicki Shelby

Thu 7/14/2016 11:36 AM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

1 attachment (269 KB)

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Vicki M. (Shelby) Fogleman
Legislative Assistant for
First District Supervisor Frank R. Mecham

email: vshelby@co.slo.ca.us

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Donald Waller
Templeton, CA

Item No. 2
Meeting Date: July 15, 2016
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Donald Waller
Templeton, CA